

**CITY OF YUMA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
TUESDAY, JULY 17, 2018**

**CALL TO ORDER – 7:30 P.M.**

**MEETING CALLED TO ORDER BY MAYOR HARPER AND THE PLEDGE OF ALLEGIANCE WAS RECITED.**

**MEMBERS PRESENT:** Baucke, Goeglein, Harper, Hoch, McCall, Saffer, Swehla.

**STAFF PRESENT:** Scott Moore, Jonathon Lynch, Karma Wells, Kathryn Sellars.

**CORRECTIONS OR ADDITIONS TO THE AGENDA**

Clerk/Treasurer Wells stated to move Action Item D to the first Action Item.

**APPROVAL OF AGENDA**

Swehla moved to approve the July 17, 2018, Agenda as amended. Second by McCall. Question. 7 ayes. Motion carried.

**APPROVAL OF MINUTES**

McCall moved to approve the July 5, 2018, Minutes as presented. Second by Baucke. Question. 7 ayes. Motion carried.

**SWEARING IN OF NEW POLICE OFFICER**

Clerk/Treasurer Wells swore in new Police Officer James Thomson.

**CITIZENS RECOGNITION AND INTRODUCTION/PUBLIC COMMENT**

None.

**ACTION ITEMS**

- D. **PUBLIC HEARING ON SECOND READING ORDINANCE #17, SERIES OF 2018 (REPEALING AND REENACTING CHAPTERS 15.04, 15.10, 15.12, 15.16, 15.24, 15.28, 15.32, 15.36 AND 15.40 OF THE YUMA MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2015 INTERNATIONAL BUILDING CODE, 2015 INTERNATIONAL RESIDENTIAL CODE, 2014 NATIONAL ELECTRICAL CODE, 2015 INTERNATIONAL FIRE CODE, 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 2015 INTERNATIONAL MECHANICAL CODE, AND 2015 INTERNATIONAL FUEL GAS CODE; AMENDING TITLE 15 OF THE YUMA MUNICIPAL CODE TO ADD CHAPTERS 15.30, 15.41, AND 15.42 AND ADOPT BY REFERENCE THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, 2015 INTERNATIONAL ENERGY CODE, AND 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE AND DELETING CHAPTER 15.52 OF THE YUMA MUNICIPAL CODE) – SCOTT MOORE.** Manager Moore introduced the ordinance. Public hearing was opened. Mr. Keven Means stated we have always had these building codes and nothing has ever been enforced on them and it is a major inconvenience to have to deal with the inspections. Mr. Means does not feel like he can run his business the way he needs to if he has to take pictures for the inspections. Some people need to be watched, and we know who the quality people are.

Mr. Jeff Pagel, of JPagel Construction, stated he is okay with the changes to the building codes and the inspections. He feels it would take a learning curve, but with the photos it would be better than stopping and waiting for a physical inspection. It will benefit Yuma if the codes are enforced. Mr. Pagel has been on roofs with multiple layers of tar paper and nails that should have been pulled.

Mr. James Himes stated he is for the compliance. Mr. Himes agrees there is too much tar paper and nails being left in the roofs. Mr. Himes feels the changes will make his job easier.

Mr. Rob Stegman stated he is in favor of the changes in the codes. He stated in other areas there is no option for pictures, you must schedule an inspection. Everyone needs to be held accountable and held to a standard.

Mr. Keven Means stated he is in favor of the building code updates, but would like to see the City go back and retro everything that is a code violation.

Manager Moore stated retro-active items would have to be discussed with the City Attorney.

Mr. Beaty stated we are trying to make it as convenient as possible for the contractors. Photos have been the easiest solution found so far.

Manager Moore stated our Code Enforcement Officer has been looking for people doing construction and making sure they have a building permit. We can issue a stop work order, if needed, if they are doing work without a permit. There is a penalty for starting work without a permit. Discussion was held.

Public hearing was closed. Attorney Sellars stated staff would like to add the midroof inspection to the Building Codes because it is not included in the code already. Swehla moved to approve on second reading Ordinance #17, Series of 2018, with the midroof inspection wording. Second by McCall. Question. 6 ayes. 1 nay (Harper). Motion carried.

- A. **3.2% BEER LICENSE RENEWAL FOR 7-ELEVEN – LOCAL LICENSING AUTHORITY, KARMA WELLS.** Clerk/Treasurer Wells stated all the paperwork has been turned in to renew the liquor license for 7-Eleven. Goeglein moved to approve the 3.2% Beer License renewal for 7-Eleven. Second by Swehla. Question. 7 ayes. Motion carried.
- B. **RESOLUTION #18, SERIES OF 2018 (ADOPT FEE SCHEDULE) – SCOTT MOORE.** Manager Moore stated the City has developed and consolidated our fees into this fee schedule. The Building Permit minimum fee was changed to \$35 from \$15 to cover costs involved. Attorney Sellars mentioned there will be some ordinances coming to pull these fees from the code. Discussion was held. Swehla moved to approve Resolution #18, Series of 2018. Second by McCall. Question. 7 ayes. Motion carried.
- C. **PUBLIC HEARING ON SECOND READING ORDINANCE #16, SERIES OF 2018 (AMENDING SECTION 1.04.020 OF THE YUMA MUNICIPAL CODE CONCERNING THE EFFECTIVE DATE OF NON-EMERGENCY ORDINANCES) – KATHRYN SELLARS.** Attorney Sellars stated the Charter does not address when an ordinance becomes effective. Only the effective date for emergency ordinances is specified. Public hearing was opened. No comments were made. Public hearing was closed. Swehla moved to approve on second reading, Ordinance #16, Series of 2018. Second by McCall. Question. 7 ayes. Motion carried.
- E. **RESOLUTION #19, SERIES OF 2018 (TRAINING AGREEMENT BETWEEN THE CITY OF YUMA AND KODY DIXON) – SCOTT MOORE.** Manager Moore stated this resolution is to approve a training agreement with Kody Dixon to become a paramedic. Mr. Dixon must remain an employee of the City of Yuma for 3 years, or he must pay back a portion of his training costs outlined in the agreement. The cost of the training is \$10,000 for the City and \$10,000 from a grant. Swehla moved to approve Resolution #19, Series of 2018. Second by Hoch. Question. 7 ayes. Motion carried.

- F. **RESOLUTION #20, SERIES OF 2018 (AWARD A BID TO TLM CONSTRUCTORS, INC AND APPROVING THE CONSTRUCTION CONTRACT) – SCOTT MOORE.** Manager Moore stated we advertised for bids for the repair of the Main Street Project. Only one bid was received from TLM Constructors of Greeley for \$80,355. Swehla moved to approve Resolution #20, Series of 2018. Second by McCall. Question. 7 ayes. Motion carried.
- G. **APPROVAL OF BILLS – KARMA WELLS.** Clerk/Treasurer Wells provided Council with an additional list of bills and asked for approval to make the bond payment. Hoch moved to approve the bills. Second by Goeglein. Question. 7 ayes. Motion carried.
- H. **PURCHASES IN EXCESS OF \$5,000 – SCOTT MOORE.** Manager Moore stated the estimate for Concrete Specialties for the 3<sup>rd</sup> Avenue project was \$45,000-50,000. The bill came in under budget at \$40,347.50. Swehla moved to approve the purchase from Concrete Specialties for \$40,347.50. Second by McCall. Question. 7 ayes. Motion carried.

The second item is for LED street lights. This request is for \$10,700 from Mountain States Lighting to replace more street lights with LED lights. Baucke moved to approve the purchase from Mountain States Lighting for \$10,700. Second by Hoch. Question. 7 ayes. Motion carried.

In an effort to upgrade our electrical system, we need to purchase a transformer at the Bartlett location to replace an unsafe transformer bank. The purchase would be from Border States Supply for \$17,177.50. Baucke moved to approve the purchase from Border States Supply for \$17,177.50. Second by Goeglein. Question. 7 ayes. Motion carried.

Manager Moore also requested approval of a purchase to the Yuma County Water Authority for \$17,620.00. This is for annual dues to the Water Authority. Swehla moved to approve the Yuma County Water Authority purchase for \$17,620. Second by Goeglein. Question. 7 ayes. Motion carried.

During the Main Street Remediation Project, there will be some testing that will need to be done, as was done before, with the concrete. We have contacted Earth Engineering to do the testing since they did the previous testing. They are estimating the testing to be a maximum of \$9,010. Baucke moved to approve the testing from Earth Engineering, not to exceed \$9,010. Second by Swehla. Question. 7 ayes. Motion carried.

#### **ADDITIONAL BUSINESS**

None.

#### **REPORTS**

##### **CITY MANAGER, SCOTT MOORE**

The Third Avenue Project, water and sewer portions have been completed. The curb and gutter and pans have also been completed. McCormick has mobilized and should be done in approximately one week.

##### **CITY CLERK/TREASURER, KARMA WELLS**

Clerk/Treasurer Wells provided Council with the Finance Report.

Also, it was mentioned the next Council Meeting is during the Yuma County Fair. Harper moved to cancel the next meeting. Second by Swehla. Question. 7 ayes. Motion carried.

## CHIEF OF POLICE, JONATHON LYNCH

Chief Lynch stated the National Night Out had good attendance. Three vehicles were sold from the impound lot at the auction.

Chief Lynch welcomed James Thomson as the newest Officer.

## CITY COUNCIL REPORTS

Saffer

- Council Member Saffer stated he heard good things about the National Night Out and sounds like the Code Officer is doing his job.

Baucke

- Council Member Baucke asked if the asphalt for the Third Avenue Project is coming from here in Yuma. It was mentioned the plant may not be up and running yet.

Swehla

- Mayor Pro Tem Swehla stated he has heard good comments on code enforcement.

Hoch

- Council Member Hoch stated the scarecrow at the lake seems to be working.

McCall

- Council Member McCall asked about having a public input meeting for enhancing the building standards.

## EXECUTIVE SESSION

**“To hold a conference with the City’s attorney to receive legal advice on specific legal questions, pursuant to C.R.S. §24-6-402 (4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. §24-6-402(4)(e), concerning the Main Street Project.”**

Attorney Sellars stated Council intends to meet in executive session to hold a conference with the City’s attorney to receive legal advice on specific legal questions, pursuant to C.R.S. §24-6-402 (4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. §24-6-402(4)(e), concerning the Main Street Project. Swehla moved to go into executive session. Second by McCall. Question. 7 ayes. Motion carried.

Council resumed regular session at 8:41 P.M. Attorney Sellars made a statement for who was present in executive session and there were no objections to the discussions in executive session.

## ADJOURNMENT

Hoch moved to adjourn. Second by Swehla. Question. 7 ayes. Motion carried.

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Robert J. Harper  
Mayor

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Karma Wells, CMC  
City Clerk/Treasurer